

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 14, 2000

DIVISION TWO

B134814 People (Not for Publication)
v.
Eric Digerose

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Cooper, J.

B133408 People (Not for Publication)
v.
Gregorio Eslas Garcia

The Court:

The judgment is modified to vacate the \$140 penalty assessment and the \$140 penalty assessment portion of the parole revocation fine. In all other respects, the judgment is affirmed.

Boren, P.J., Cooper, J., Mallano, J. (Assigned)

B118647 Edward Lamar Washington, Jr. (Not for Publication)
v.
Single Room Occupancy Housing Corp.

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

DIVISION TWO (Continued)

B126997 People (Not for Publication)
v.
Ronnie Law

The judgment is modified to provide that appellant has 813 days of presentence credit, consisting of 707 days of actual custody credit and 106 days of conduct credit. As modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment reflecting this modification and to forward a certified copy of the amended abstract of judgment to the Department of Corrections.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

B132123 Miriam A. Rogers (Not for Publication)
v.
C. W. Cook Co., Inc., et al.

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

B137263 Clara L. (Not for Publication)
v.
Superior Court, Los Angeles County
(L.A. County Dept. of Children & Family Services, r.p.i.)

Accordingly, the petition for writ of mandate is denied, and the order to show cause is dismissed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

[illegible]

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Schneider, J. (Assigned)

B127253 People (Not for Publication)
v.
Richard Joseph Fleming

The convictions are affirmed, the prior serious felony conviction findings are reversed, and the sentence is vacated. Thus, the judgment is affirmed in part, reversed in part and the case is remanded to the trial court for further proceedings consistent with this opinion.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B118340 People (Not for Publication)
v.
Samuel Adam Castillo

The judgment is modified to impose a \$400 parole revocation fine, to remain suspended unless and until Castillo violates parole. The judgment is affirmed as modified. The trial court shall have its clerk prepare an amended abstract of judgment reflecting the fines imposed and forward a copy to the Department of Corrections.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION THREE (Continued)

B122799 People (Not for Publication)
v.
Jason F. Chan, Indra Lim and Tak Sun Tan

The judgments are modified by imposing parole revocation fines as indicated in this opinion. As modified, the judgments are affirmed. A corrected abstract of judgment shall be transmitted to the Department of Corrections.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION SIX

B134489 People (Not for Publication)
v.
Schmidt

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

B132158 People (Not for Publication)
v.
Schuster

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B127046 Whitaker (Not for Publication)
v.
United Services Automobile Association

The judgment (order of dismissal) is affirmed. Respondent is entitled to costs on appeal.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B132025 People (Not for Publication)
v.
Edward A.

The order declaring defendant a ward of the juvenile court and resulting disposition is affirmed.; the cause is remanded to the juvenile court with directions to expressly declare on the record, in compliance with Welfare & Institutions Code section 702, whether the offense in violation of Penal Code section 422 alleged in count I is a felony or a misdemeanor.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B127998 People (Not for Publication)
v.
Silvestre

The judgment is affirmed, and the cause is remanded to the Superior Court for the limited purpose of ordering the Clerk thereof to correct the minute order and abstract of judgment to reflect the total sentence of eight years.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

DIVISION SEVEN (Continued)

[illegible]

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

B130545 People (Not for Publication)
v.
Allen O.

The order of disposition is reversed insofar as the court has ordered the probation officer to determine restitution and the court is required to make a new and different order for restitution in compliance with Welfare and Institutions Code section 730.6 and with the views expressed in this opinion. In all other respects, the orders under review are affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

[illegible]

The order denying relief from dismissal of the action is reversed and the cause is remanded to the trial court with directions to enter an order granting the motion. Each party to bear its own costs on appeal.

Johnson, Acting P.J.

We concur: Woods, J.
Neal, J.

DIVISION SEVEN (Continued)

B136153 Inez F. (Not for Publication)

V.

Superior Court, Los Angeles County

(L.A. County Dept. of Children & Family Services, r.p.i.)

Because substantial evidence supports the juvenile court's order to conduct a hearing pursuant to section 366.26, the petition is denied on the merits.

Johnson, J.

We concur: Lillie, P.J.

Neal, J.

B125514 Communication Facility Management Corp. (Not for Publication)

V.

Shield & Smiths et al.

The appeal is dismissed. Costs to respondents.

Johnson, J.

We concur: Lillie, P.J.

Woods, J.

B129544 May et al. (Not for Publication)

V.

New Morning Star Missionary Baptist Church

The order expunging the lis pendens, ordering acknowledgement of satisfaction of judgment and awarding attorney's fees to defendant are affirmed.

Johnson, J.

We concur: Lillie, P.J.

Neal, J.

DIVISION SEVEN (Continued)

B13013 McPherson et al. (Not for Publication)

v.

City of Manhattan Beach et al.

Highland View Limited Partnership et al.

The judgment is affirmed. Each party to bear its own costs on appeal.

Johnson, J.

We concur: Lillie, P.J.

Neal, J.

B131893 People

v.

Dillon

Filed order denying petition for rehearing.

B135420 Valentin et al. (Not for Publication)

v.

Superior Court, Los Angeles County

(County of Los Angeles et al., r.p.i.)

Let a writ of mandate issue directing the trial court to vacate its Order Rd Admissibility Of Evidence Re Damages dated September 24, 1999 and to enter a new and different order providing: (1) With respect to plaintiffs' state law claims plaintiffs are entitled to all damages which are attributable to injuries arising from false arrest and false imprisonment which preceded their arraignment; and (2) With respect to plaintiffs' federal civil rights claim, plaintiffs are entitled to all damages which are attributable to injuries arising from false arrest and false imprisonment which preceded their arraignment plus all damages attributable to injuries arising from their exercise independent judgment in filing the criminal complaint. Petition dismissed as moot in case number B135399. Costs to petitioners in case number B135420 and to real parties in interest in case number B135399.

Johnson, Acting P.J.

We concur: Woods, J.

Neal, J.